Listed by AHP Servicing LLC and American Homeowner Preservation 2015A+ LLC

Equity | Reg Cf | Accepting Investments

Over 550 Mortgages And REO Assets Are Involved In Dispute

7 Share

*These are estimated returns and are **not** guaranteed - read risk and disclosures*

Offering Objective | Use of Proceeds | Due Diligence Documents | Risks and Disclosures

If our claims are successful, as we expect, we will be entitled to substantial monetary damages from the defendants, as well as a return of the remaining assets. This will free up the Mortgage Loans and REO Assets owned by the Trusts, to be resolved and/or disposed of in the normal course of our business. Our complaint requests reimbursement of our legal fees and triple damages, where applicable under the governing law.

We refer to the litigation, both defending and prosecuting claims, as the "Litigation." We are raising capital to fund the legal fees and other costs associated with the Litigation, pay essential operating expenses during the pendency of the litigation, and pay costs associated with this capital raise.

Of the 20+ pending cases, we believe the two most important are those pending in the same federal court, before the same judge, in Washington State.

One of those cases involves contract claims. Initially, the court will be asked to decide whether the original transaction should be treated, for legal purposes, as a true sale of assets from the Companies to Cymbidium or as a loan from Cymbidium to the Companies secured by the assets. More significantly, we expect the court to soon order a neutral accounting of the amounts paid to and owed by the parties. The outcome of the accounting, which we expect to be bitterly contested, will have a significant, perhaps dispositive, effect on the outcome of the Litigation. Previously, Cymbidium submitted an accounting that we believe was grossly inaccurate.

The second of those cases involves our RICO claims. The majority of those claims were dismissed at an earlier point in the Litigation, but the court allowed us to re-file. We have done so, and the defendants have filed a motion to dismiss, seeking to dismiss the claims.

Both sides have filed requests for "summary judgment" on portions of their claims in the first case, i.e., the contract case. Summary judgments are where a judge decides that the legal issues are so clear, they can (and should) be decided without the time and expense of a trial. Summary judgments are often requested but not often granted. Oral argument for the summary judgment motions in the contract case is currently scheduled for April 23, 2026, although it would not be unusual for the oral arguments to be postponed.

No matter how they are decided, the summary judgment motions will not resolve the contract case. Most important, they will not resolve the numbers. Given the enormous differences between the parties, a trial will probably be required to resolve the numbers, unless the case is settled.

If the Companies ultimately prevail in the contract case, we expect the court would:

· Reduce or eliminate the amounts Cymbidium claims are still due.

· Allow us to recover the amount the Companies paid in excess of the amounts due.

· Confirm that the Companies own the remaining Mortgage Loans and REO Assets.

· Allow us to resolve those assets in the ordinary course of business, thus generating cash for investors.

If the Companies ultimately prevail in the RICO case, then the Companies would be entitled to a return of their mortgage loan assets and collateral files, a full accounting and disgorgement of misappropriated proceeds, and treble (triple) damages and attorneys' fees.

Other Cases

Of all the cases filed, only one has gone to trial, in state court in Washington. Judgment in that case was entered resoundingly in favor of AHP Servicing (2015A+ was not named). The judge not only dismissed the other party's claims against AHP Servicing (in that case, AHP Servicing was a defendant), but awarded AHP Servicing more than $800,000 in attorneys' fees. The plaintiffs have appealed and posted a $1,000,000 surety bond to stay enforcement of the judgment.

Some of the other state court cases continue to move forward while others have been "stayed", or paused, pending the outcome of the federal case.

We believe we will prevail in the Litigation based on the documents, the contracts, the numbers, and the law. We are encouraged by the victory in the only case that has gone to trial and confident in our calculations. Given our history with the other parties, we are also confident that the calculations they submitted are false and will be seen as such on close inspection by the court-appointed neutral.

However, the outcome of litigation is impossible to predict with certainty. Moreover, we remember that Cymbidium threatened at the outset to "incinerate" us not by having the stronger case but by forcing us to spend money on legal fees. Litigation is very expensive. We suspect that Cymbidium has been shocked at our ability to stay in the fight this far – not only to stay in the fight but to win the only trial – but to prevail, we must continue to find ways to pay our lawyers.

Ask a Question

Sign up or login to ask the issuer a question.

Type here

Disclosure: I have a financial relationship with AHP Servicing LLC and American Homeowner Preservation 2015A+ LLC

Funding Details

• Closing in a month

Reg CF
Open to all investors
$81,200 raised of $179,000 target

39 investors 45% raised

Min $500 Invest Now

Reg CF offered by AHP Servicing LLC and American Homeowner Preservation 2015A+ LLC through Invown Funding Portal LLC as intermediary.

About the Company

AHP Servicing LLC and American Homeowner Preservation 2015A+ LLC are raising funds to pay legal fees and essential costs while they litigate with Cymbidium Restoration Trust and others in a dispute over $60+ million in Mortgage Loans and REO Assets. We currently need to pay $150,000 in legal fees to Bailey Duquette; Newman, Simpson & Cohen; DeBlasis Law Firm; and others. This will allow us to continue moving forward with the litigation. Right now we are limited in how much we can raise using Reg CF. We will be allowed to raise more in coming months.

People Already Invested

Tara Sanderson
1 follower
@Jeremy2307

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